

CC NO. 162 Of 2012

1. Ravi Bharathi

.....Complainant(s)

Versus

1. Department of RTI Act

.....Opp.Party(s)

BEFORE:

PRESENT:

ORDER

Date of Filing: 24/01/2012

Date of Order: 29/02/2012

BEFORE THE I ADDITIONAL DISTRICT CONSUMER DISPUTES REDRESSAL
FORUM SESHADRIPURAM BANGALORE - 20

Dated: 29th DAY OF FEBRUARY 2012

PRESENT

**SRI.H.V.RAMACHANDRA RAO, B.Sc.,B.L., PRESIDENT
SMT.NIVEDITHA .J, B.SC.,LLB., MEMBER**

C.C. NO.162 OF 2012

N. Ravi Bharati,
Movie Technics Association,
Post box No.2149,
No.92, Compact Home,
Mariyappanapalya,
Sriramapura Post,
BANGALORE-560 021.

(Rep. by In.person)

.... Complainant.

V/s

Government of Karnataka,
Director, Right to Information Authority,
Head Office,
No.17, Bhagavan Mahaveer Road,
BANGALORE-560 001.
Party.

.... Opposite

BY SMT. NIVEDITHA.J, MEMBER

-: ORDER:-

The complainant has made this complaint seeking direction to the opposite party to pay Rs.2,000/- as compensation making certain allegations.

2. The opposite party has filed its version contesting the matter
3. Both the parties submitted that their pleadings and documents be read as their evidence. Heard the arguments.
4. The points for consideration are:-

-: POINTS:-

- (A) Whether there is any deficiency in service?
- (B) What order?

5. Our findings are:-

**Point (A) & (B): As per the final Order
for the following:-**

-: REASONS:-

Point (A) & (B):-

6. Reading the pleadings in conjunction with the documents on record, it is seen that the complainant has made certain applications for copies paying certain fees as Under Right To Information Act and in this regard he has preferred an appeal before the opposite party. The opposite party heard the matter and adjourned the case and has not disposed of the appeal. Stating that Bevinamarada who was the Joint Director of the Information Department has become the Information Officer, Dr. Muddumaran the director has become the appellant authority, hence the case has been postponed that's all. Here the complainant is seeking compensation because the case is being adjourned by the appellate authority i.e., the opposite party. If the appeal is adjourned for any reason and if the reason given by the appellant authority is not justified the complainant can move the Commissioner as under the Right to Information Act and he cannot approach this Forum for

compensation. If the complainant is entitled to any compensation for adjourning the appeal the complainant is at liberty to move further appellant authority, the commissioner under the Right to Information Act for which this order will not come in that way.

7. In any event as the complainant has filed an appeal it is a statutory function the appellate authority has to do. Hence the complainant cannot be a Consumer vis-a-vis the opposite party is concerned. In the sence he has not purchased any service from the opposite party for any consideration. He is only applicant/appellant. Hence he has to approach the higher authority than the opposite party, seeking disposal of the appeal early. Hence there is no deficiency in service. Hence we hold the above points accordingly and proceed to pass the following:-

ORDER

1. The complaint is Dismissed. No order as to costs.
2. Return the extra sets to the concerned as under Regulation 20(3) of the Consumer's Protection Regulation 2005.
3. Send a copy of this order to both parties free of costs, immediately.

(Dictated to the Stenographer, transcribed and typed by him, corrected and then pronounced by us in the Open Forum on this the 29th Day of February 2012)

MEMBER

PRESIDENT